

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: 17 September 2007 Name: C. Noel Kaman, Reg. No. 51,857 Signature: C. Noel Kaman

**BRINKS
HOFFER
GILSON
& LIONE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Brovelli et al.

Appln. No.: 10/774,092

Filed: February 6, 2004

Examiner: Leith

Art Unit: 1655



For:

**METHOD OF AUGMENTING THE
IMMUNE-MODULATORY ACTIVITY OF
STANDARDIZED ECHINACEA
PREPARATIONS**

Attorney Docket No: 3086/1734 (AM1150)

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Transmittal Letter (in duplicate); and Amendment and Request for Reconsideration
- ☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+ \$180=			+ \$360=	
					Total	\$		Total	\$

Fee payment:

- ☐ A check in the amount of \$_____ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

17 September 2007
Date

C. Noel Kaman
C. Noel Kaman (Reg. No. 51,857)

BRINKS HOFFER GILSON & LIONE
NBC Tower – Suite 3600, 455 N. Cityfront Plaza Drive, Chicago, IL 60611-5599

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September 17, 2007

Date of Deposit

C. Noel Kaman, Reg. No. 51,857

Name of applicant, assignee or
Registered Representative

C. Noel Kaman

Signature

September 17, 2007

Date of Signature

Our Case No. 3086-1734

AM1150

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Serial No. 10/774,092

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OF STANDARDIZED ECHINACEA
PREPARATIONS

)
)
) Examiner Leith

)
) Group Art Unit No. 1655

AMENDMENT AND REQUEST FOR RECONSIDERATION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office action mailed June 15, 2007, please reconsider the
rejection of the claims amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of the claims, which
begins on page 2 of this paper.

Remarks / Arguments begin on page 5 of this paper.